

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF MASSACHUSETTS

STATE OF NEW YORK, *et al*,

Plaintiffs,

v.

DONALD J TRUMP, *et al*,

Defendants,

Case No. 1:25-cv-11221

**SUPPLEMENTAL DECLARATION OF MICHAEL BROWN  
CHIEF EXECUTIVE OFFICER OF OW NORTH AMERICA LLC**

**RELEVANT BACKGROUND AND EXPERIENCE**

Pursuant to 28 U.S.C. § 1746(2), I, Michael Brown, hereby declare as follows:

1. I am the Chief Executive Officer of OW North America LLC (“Ocean Winds”). Ocean Winds is an owner, manager and developer of a portfolio offshore wind projects in the United States, including SouthCoast Wind Energy LLC (“SouthCoast Wind”), Bluepoint Wind LLC (“Bluepoint Wind”), and Golden State Wind LLC (“Golden State Wind”).
2. I submit this supplemental declaration in support of the Plaintiff States’ response brief in opposition to the Defendants’ cross motion for summary judgment. This declaration

supplements the previous declarations I have provided in this case, ECF 174-5 and ECF 144-4, incorporated herein by reference to avoid repetition.

### **SouthCoast Wind**

3. On August 14, 2025, SouthCoast Wind received an email from the Bureau of Ocean Energy Management (“BOEM”) noting that the Environmental Protection Agency (“EPA”) had requested additional time to evaluate the applicability of the January 20, 2025 Presidential Memorandum, *“Temporary Withdrawal of All Areas on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government’s Leasing and Permitting Practices for Wind Projects”* (the “Presidential Memorandum”). According to the email, the National Pollutant Discharge Elimination System permit (“NPDES”) milestone date would shift by 90 days, going from September 23, 2025 to December 22, 2025.

4. Not even a week later, on August 19, 2025, SouthCoast Wind received a second email from BOEM noting that the EPA had requested that the milestone be adjusted by twelve months rather than three months, changing the NPDES milestone date from September 23, 2025 to September 22, 2026.

5. The only justification provided for the extension request was that additional time was needed to evaluate the applicability of the Presidential Memorandum. The prior two NPDES milestone extensions in 2025, discussed in my previous declarations in this case, also cited the Presidential Memorandum.

6. SouthCoast Wind responded to BOEM and the EPA strongly objecting to the most recent extension request, and any further extensions, based on several statutory and regulatory procedural violations including lack of required consultations and untimeliness, as well as on substantive grounds.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Executed in Boston, Massachusetts on August 22, 2025.

DocuSigned by:

*Michael Brown*

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Michael Brown  
Chief Executive Officer  
OW North America LLC